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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 RAY M. FERNANDEZ,

10 Petitioner,

11 v.

12 STATE OF WASHINGTON,

13 Respondent.

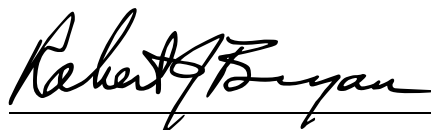
CASE NO. 3:19-cv-06029-RJB-JRC

ORDER

14 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.
15 Richard Creatura and the remaining record, does hereby find and ORDER:

- 16 (1) The Court adopts the Report and Recommendation (Dkt. 4).
17 (2) Petitioner's federal habeas Petition is dismissed without prejudice.
18 (3) A certificate of appealability is denied in this case.
19 (4) The Clerk is directed to send copies of this Order to Petitioner, counsel for
20 Respondent, and to the Hon. J. Richard Creatura.

21 **DATED** this 24th day of February, 2020.

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23 ROBERT J. BRYAN
24 United States District Judge